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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/743,528

12/22/2003

Hossein Eslambolchi

2003-0111

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26652

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06/27/2006

AT&T CORP.

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EXAMINER

JOHNSON, JERROLD D

ART UNIT

PAPER NUMBER

3728

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/743,528	Applicant(s) ESLAMBOLCHI ET AL.	
	Examiner Jerrold Johnson	Art Unit 3728	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the contents of claims 12 and 13 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mykleby US 4,029,206.

In the background of this patent reference, page 1, lines 45-55, as well as in col. 4, lines 49-53, Mykleby describes a prior art protective cover using rigid pieces of foam blocks constructed from Dow Ethafoam 220 mounted on a fabric backing (fiber material). The foam blocks are glued or sewn on the fabric. The end product is wrapped around a cable reel.

Claim Rejections - 35 USC § 103

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-7 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mykleby US 4,029,206 in view of Examiner Official Notice.

The short recitation of the prior art device disclosed in US 4,029,206 does not include a detailed description of the two versions of the invention (the glued version and the sewn version). Accordingly, Mykleby does not disclose the specific configurations set forth.

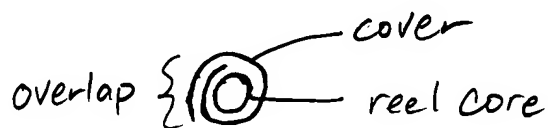
Art Unit: 3728

However, the configurations set forth in these claims are all well known configurations of wrapping members.

Re claim 3, nylon would be recognized by one of ordinary skill in the art as a suitable material for this application.

Re claim 4, Mykleby does not disclose pockets. However, the Examiner takes Official Notice that pockets are the common well known solution in this art to disposing rigid elements on a flexible backing. See for instance the following patents that are set forth herein as extrinsic evidence: 4901464; D323065; D471011; 3,749,233; 5,427,239; D276,004; 4621486; 4852737; 4790475; D299620; and 3941246. Accordingly, it would have been obvious to one of ordinary skill in the art to use this common solution to secure the blocks of Mykleby to the fabric flexible wrapping member, as by doing so the blocks would be replaceably disposed on the wrapping member.

Re claim 5, see the drawing below which represents how pockets, that are adjacent by virtue of the wrapping of the cover over the coil, would overlap.



Re claim 6, abutting pockets is a very common arrangement, as is evidenced in the patents set forth above.

Re claim 7, Mykleby does not disclose this arrangement, but this arrangement is the only arrangement which allows rigid elements disposed on a wrapping to be

wrapped around a coil. Accordingly this arrangement would be the obvious arrangement.

Re claim 10, Mykleby shows this arrangement in the disclosure of his own invention illustrated in Fig. 1,

Re claim 12, pockets that allow for the removability of the items stored within them is a also common arrangement, as is evidenced in the patents set forth above.

Re claim 13, Mykleby discloses the cover being strapped in place, but does not disclose a strap attached to the wrapping member and extending the length of the wrapping member. Attached straps are common in wrappers as is evidenced in the extrinsic evidence set forth in the patents listed in claim 4. Accordingly, it would have been obvious to one of ordinary skill in the art to provide such an attached cinch strap so as to ensure that the straps are not lost.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mykleby US 4,029,206 in view of Examiner Official Notice and further in view of either Stoll et al. US 6,935,502 or Heyda et al. US 5,165,543.

Mykleby does not disclose this arrangement in his recitation of the prior art cover.

Both Stoll and Heyda show how protective covers can be of sufficient width so as to be placed over the flanges, as is claimed.

Accordingly, it would have been obvious to one of ordinary skill in the art to make the protective cover of Mykleby of sufficient width so as to be placed over the flanges so that the cover is not in contact with the delicate cable.

Claims 9 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mykleby US 4,029,206 in view of Examiner Official Notice and further in view of Science Daily.

Mykleby US 4,029,206 does not disclose ceramic in the prior art device he discloses.

Ceramic based foams, such as those described in Science Daily, 18 May 2001, are known to have high insulating properties and low weight. Accordingly, one of ordinary skill in the art would recognize the suitability of ceramic based foams in this technological application and would be motivated to use them instead of the foams (Ethafoam 220) disclosed by Mykleby for the insulating properties and low weight of these ceramic based foams.

Re method claims 14-19, these are the obvious methods of using the protective cover of Mykleby US 4,029,206 in view of Examiner Official Notice and further in view of Science Daily.

Allowable Subject Matter

The inventive concept shown in Fig. 4 is not disclosed in the prior art of record. Overlapping insulation panels, as is shown in US 6,298,626, are common. However, there is no art of record showing a protective cover for a reel having overlapping pockets each of which have an insulation block disposed therein in the manner shown in Fig. 4 (where adjacent pockets and the adjacent insulation members with the pockets overlap).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerrold Johnson whose telephone number is 571-272-7141. The examiner can normally be reached on 9:30 to 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on 571-272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JDJ 



Mickey Yu
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Group 3700